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| U.S. Department of Commerce, Patent and Trademark Office | | Docket No. | Serial No. |
| | | WHIT/0002.A | 10/770,352 |
| LIST OF RELEVANT ART CITED BY APPLICANT | | Applicant | |
| (Use several sheets if necessary) | | Carl E. Whitcomb | |
| | | Filing Date | Group |
| | | February 2, 2004 | 3643 |



U.S. Patent Documents

| *Examiner Initial | | Document Number | Issue Date | Name | Class | Subclass | Filing Date If Appropriate |
|-------------------|---|-----------------|---------------|--------------------------|-------|----------|----------------------------|
| STN | A | 5,181,952 | Jan. 26, 1993 | Burton, et al. | | | |
| | B | 4,884,367 | Dec. 5, 1989 | Peter A. Lawton | | | |
| | C | 5,575,112 | Nov. 19, 1996 | Gerard Scheubel | | | |
| | D | 5,544,447 | Aug. 13, 1996 | Easey, et al. | | | |
| | E | 4,442,628 | Apr. 17, 1984 | Carl E. Whitcomb | | | |
| | F | 4,510,712 | Apr. 16, 1985 | Carl E. Whitcomb | | | |
| | G | 4,753,037 | Jun. 28, 1988 | Carl E. Whitcomb | | | |
| | H | 4,939,865 | Jul. 10, 1990 | Carl E. Whitcomb, et al. | | | |
| | I | 5,557,886 | Sep. 24, 1996 | Carl E. Whitcomb | | | |
| | J | 5,131,185 | Jul. 21, 1992 | Aart V. Wingerden | | | |
| | K | 5,099,607 | Mar. 31, 1992 | Peter A. Lawton | | | |
| | L | 5,241,784 | Sep. 7, 1993 | Elona I. Henry | | | |
| | M | 4,497,132 | Feb. 5, 1985 | Carl E. Whitcomb | | | |
| | O | 5,768,825 | Jun. 23, 1998 | Ralph E. Reiger | | | |

Foreign Patent Documents

Translation

| | | Document Number | Date | Country | Class | Subclass | Yes | No |
|-----|---|-----------------|---------------|----------------|-------|----------|-----|----|
| STN | P | GB2129664A | May 23, 1984 | United Kingdom | | | | |
| | Q | JP2001352843 | Dec. 25, 2001 | Japan | | | | |
| | R | FR2755950A1 | May 22, 1998 | France | | | | |

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

S "Superroots fielderTM" root enhancement system; The Caledonian Tree Company. www.rootcontrol.com

Examiner

Date Considered

1/8/05

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| *Examiner Initial | | Document Number | Issue Date | Name | Class | Subclass | Filing Date If Appropriate |
|-------------------|----|-----------------|---------------|------------------------|-------|----------|----------------------------|
| STN | T | 4,508,776 | Apr. 2, 1985 | Smith | | | |
| | U | 4,829,707 | May 16, 1989 | Koffler | | | |
| | V | 5,205,432 | Apr. 27, 1993 | Gullan | | | |
| | W | 5,533,301 | Jul. 9, 1996 | Weder et al | | | |
| | X | 5,636,502 | Jun. 19, 1997 | Weder et al | | | |
| | Y | 5,983,566 | Nov. 16, 1999 | Enderlein et al | | | |
| | Z | 6,108,974 | Aug. 29, 2000 | Herzog-Mesrobian et al | | | |
| | A1 | 6,142,299 | Nov. 7, 2000 | Weder et al | | | |
| | B1 | 6,161,332 | Dec. 19, 2000 | Avôt | | | |
| | C1 | 2,209, 778 | July 30, 1940 | J. Krasowski | | | |
| | D1 | 3,052,063 | Sept. 4, 1962 | Rose-Marie Dunn | | | |

Foreign Patent Documents

| | | | | | | | Translation | |
|--|--|-----------------|------|---------|-------|----------|-------------|----|
| | | Document Number | Date | Country | Class | Subclass | Yes | No |
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OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

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|-----|----|--|
| STN | E1 | superoots™ root enhancement system; superoots products; The Caledonian Tree Co.; Cowbrachill Tynthead Pathhead Midlothian; EH37 5 XT; Scotland UK; 5 pgs. regarding superoots fielder™; www.superoots.com. |
| | F1 | McGraw-Hill Dictionary of Scientific and Technical Terms Sixth Edition, page 423 and page 1636; Copyright © 2003, 1994, 1989, 1978, 1976, 1974 by McGraw-Hill Companies, Inc. |
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U.S. Patent Documents

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|-------------------|----|-----------------|---------------|-------------------|-------|----------|----------------------------|
| STN | G1 | 4,646,467 | Mar. 3, 1987 | John P. Morrisroe | | | |
| | H1 | 4,920,692 | May 1, 1990 | Kitamura et al | | | |
| | I1 | 560,966 | May 26, 1896 | Brown | | | |
| | J1 | 3,798,837 | Mar. 26, 1974 | Oehmke et al | | | |
| | K1 | 2,626,483 | Jan. 27, 1953 | R J Service | | | |
| | L1 | 5,262,233 | Nov. 16, 1993 | Sudo et al | | | |
| | M1 | 4,818,585 | Apr. 4, 1989 | Shipp, Jr | | | |
| | N1 | 4,250,661 | Feb. 17, 1981 | Kodera et al | | | |
| | O1 | 5,402,600 | Apr. 4, 1995 | Tompkins | | | |
| | P1 | 2002/0038526 | Apr. 4, 2002 | Garrofe Morreres | | | |
| | Q1 | 5,937,577 | Aug. 17, 1999 | Butler et al | | | |
| | R1 | 6,612,072 B2 | Sep. 2, 2003 | Busby et al | | | |

Foreign Patent Documents

Translation

| | | Document Number | Date | Country | Class | Subclass | Yes | No |
|--|--|-----------------|------|---------|-------|----------|-----|----|
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OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

| | | |
|-----|----|--|
| STN | S1 | Carl E. Whitcomb, Ph.D., "Plant Production in Containers II, pgs 486-489 |
| | | |
| | | |

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U.S. Patent Documents

| *Examiner Initial | | Document Number | Issue Date | Name | Class | Subclass | Filing Date If Appropriate |
|-------------------|----|-----------------|------------|------|-------|----------|----------------------------|
| STN | T1 | 6,202,348 | | | | | |
| | U1 | 5,311,700 | | | | | |
| | V1 | 5,852,896 | | | | | |
| | W1 | 3,094,810 | | | | | |
| | X1 | 6,223,466 B1 | | | | | |
| | Y1 | 2,848,842 | | | | | |
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Foreign Patent Documents

| Translation | | | | | | | | |
|-------------|----|-----------------|---------|----------------|-------|----------|-----|----|
| | | Document Number | Date | Country | Class | Subclass | Yes | No |
| STN | Z1 | GB2,073,567A | 10/1981 | United Kingdom | | | | |
| | A2 | EP300,578 A3 | 01/1989 | European | | | | |
| | B2 | JP 406189635 | 07/1994 | Japan | | | | |
| | C2 | SE 141561 A | 08/1953 | Sweden | | | | |
| | D2 | JP 406269228 A | 09/1994 | Japan | | | | |

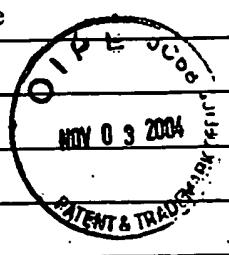
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

| | | |
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| STN | E2 | www.psrc.usm.edu/macrog/pp.htm ; "Polpropylene"; 3 pgs |
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| Examiner <i>Anton</i> | Date Considered <i>1/8/05</i> |
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U.S. Patent Documents

| *Examiner Initial | | Document Number | Issue Date | Name | Class | Subclass | Filing Date If Appropriate |
|-------------------|----|-----------------|---------------|--------------------------------|-------|----------|----------------------------|
| STN | A1 | 4,717,680 | Jan. 5, 1988 | Carl E. Whitcomb, et al. | | | |
| | B1 | 5,301,465 | Apr. 12, 1994 | Dennis Caferro | | | |
| | C1 | 6,311,443 B1 | Nov. 6, 2001 | Robert Allazetta | | | |
| | D1 | 6,195,938 B1 | Mar. 6, 2001 | William Chee Kay | | | |
| | E1 | 6,453,610 B2 | Sep. 24, 2002 | Mark Christopher Tonkin, et al | | | |
| | F1 | 4,574,522 | Mar. 11, 1986 | Ralph E. Reiger, et al. | | | |
| | G1 | 6,481,593 B2 | Nov. 19, 2002 | Michael Banhagel | | | |
| | H1 | 2,829,742 | Apr. 8, 1958 | W.T. Wallace | | | |
| | I1 | 4,730,953 | Mar. 15, 1988 | Paul L. Tarko | | | |
| | J1 | 754,948 | Mar. 15, 1904 | J.H. White | | | |
| | K1 | 1,011,445 | Dec. 12, 1911 | S.L.A. Killion | | | |
| | L1 | 3,951,294 | Apr. 20, 1976 | Clifford Arthur Wilson | | | |
| | M1 | 3,291,437 | Dec. 13, 1966 | G.F. Bowden, et al | | | |
| | N1 | 2,405,056 | July 30, 1946 | Irving Rosenbloom | | | |
| | O1 | 4,920,695 | May 1, 1990 | Garden, Jeffrey S. S. | | | |
| | P1 | 5,327,679 | Jul. 12, 1994 | Hawthorne, David V. | | | |

Foreign Patent Documents

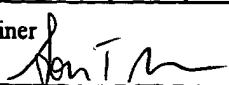
| Translation | | | | | | | |
|-------------|----|-----------------|---------------|---------|-------|----------|--------|
| | | Document Number | Date | Country | Class | Subclass | Yes No |
| STN | Q1 | WO 01/35722 A1 | May, 2001 | PCT | | | |
| | R1 | WO 97/21339 | June, 1997 | PCT | | | |
| | S1 | WO 97/00005 | January, 1997 | PCT | | | |

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

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| STN | 1/09/05 |

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| | | February 2, 2004 | 3643 |
| OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.) | | | |
| STN | T1 | Carl Erwin Whitcomb, "Effects of Root Competition Between Trees and Turfgrass", An Abstract of a Dissertation submitted to the Graduate Faculty in Partial Fulfillment of The Requirements for the Degree of DOCTOR OF PHILOSOPHY, P- 1-3, 52 | |
| | U1 | Carl E. Whitcomb, Eliot C. Roberts, and Roger Q. Landers, "A Connecting Pot Technique For Root Competition Investigations Between Woody Plants Or Between Woody and Herbaceous Plants, Ecology, Vol. 50, No 2, Early Spring 1969, P- 326-328 | |
| | V1 | Carl E. Whitcomb and Eliot C. Roberts, "Competition Between Established Tree Roots and Newly Seeded Kentucky Bluegrass", Agronomy Journal, Volume 65, January-February, 1973, p.-126-129 | |
| | W1 | Ralph Reiger and Carl E. Whitcomb, "A Root Control System for Growing and Transplanting Trees", Ag Exp Sta Report, P- 843, 1983 | |
| | X1 | Carl Whitcomb, "Fabric liners to stop root circling in containers", unavailable paper published in 1983, but referenced on, p 341-342 of book by Carl Whitcomb, Plant Production in Containers II, 2003 | |
| | Y1 | Carl E. Whitcomb, "Root Development of Trees Grown in Field-Grow Fabric Containers Following Transplanting", Okla. State U. Ag Exp. Sta Research Report, P-872, 1985 | |
| | Z1 | Paper: Published in 1968 or 1969 copy unavailable. Subject: Using quart milk cartons with or without bottoms removed for growing tree seedlings. The milk cartons were positioned on a raised wire frame to prevent roots from growing into the soil below. This may have been the first situation where air-root-pruning occurred. | |
| | A2 | Jim Ward and Carl E. Whitcomb, Nursery Problems Solutions Through Research, June 21, 1972, Experiment #13, "Effects of Time of Potting and Root Pruning on Growth and Root Distribution of Loquat Seedlings", P-24-25 | |
| | B2 | Carl E. Whitcomb, "Growth of Carissa Grandiflora 'Boxwood Beauty' in varying media, containers and micronutrient levels", 9 pages, circa 1971 | |
| | C2 | Carl E. Whitcomb, Experiment #14, "Effects of Container Sidewall Porosity, Growing Media and Presence or Absence of Micronutrient Fertilizer on Root and Top Growth of Carissa Grandiflora Var. Boxwood Beauty", Nursery Problems Solutions Through Research, June 5, 1971 | |
| | D2 | Randy E. Davis and Carl E. Whitcomb, "Effects of Propagation Container Size On Development of High Quality Seedlings", Reprint from The International Plant Propagators' Society, Volume 25, 1975 | |
| | E2 | Robert S. Birchell and Carl E. Whitcomb, "Effects of Container Design on Root Development and Regeneration", Nursery Research Field Day, Ag Exp Sta, OK State Univ, October 1977, Research Report P-760 | |
| | F2 | Robert D. Hathaway and Carl E. Whitcomb, "The Effects of Root Malformation During Propagation on Growth and Survival of Bur Oak", Nursery Research Field Day, Ag Exp Sta, OK State Univ, October 1978, Research Report P-777 | |
| | G2 | Sancho Dickinson and Carl E. Whitcomb, "Effects of Container Design on Root Quality", Nursery Research Field Day, Ag Exp Sta, OK State Univ, October 1978, Research Report P-777 | |
| | H2 | Elizabeth Williams and Carl E. Whitcomb, "Effects of Growing Media and Container Design on Growth of Tree Seedlings", Nursery Research Field Day, Ag Exp Sta, OK State Univ, October 1979, Research Report P-791 | |
| | I2 | John D. Gibson and Carl E. Whitcomb, "Producing Tree Seedlings in Square Bottomless Containers", Ornamentals South, August, 1980, P-12-15 | |
| Examiner | | Date Considered | |
| Amir | | 1/9/05 | |
| <p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with your communication to applicant.</p> | | | |

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| | | Filing Date | Group |
| | | February 2, 2004 | 3643 |
| OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.) | | | |
| STN | J2 | Carl E. Whitcomb, "Effects of Container and Production Bed Color on Root Temperatures and Plant Growth", Nursery Research Field Day, Ag Exp Sta, OK State Univ, October 1980, Research Report P-803 | |
| | K2 | Steve Wall and Carl E. Whitcomb, "A Comparison of Commercial Containers for Growing Tree Seedlings", Nursery Research Field Day, Ag Exp Sta, OK State Univ, October 1980, Research Report P-803 | |
| | L2 | Carl E. Whitcomb, "Growing Tree Seedlings in Containers", Bulletin 755 January 1981 Agricultural Experiment Station Div of Ag, OK State Univ, P-18 | |
| | M2 | Carl E. Whitcomb, "An "Easy" Way to Grow Specimen Trees In The Field", Nursery Research Field Day, Ag Exp Sta, OK State Univ, October 1981, Research Report P-818 | |
| | N2 | Carl E. Whitcomb, "A Vertical Air-Root-Pruning Container", Reprints- Volume 31 International Plant Propagators Society Combined Proceedings for 1981, P-591-596 | |
| | O2 | Carl E. Whitcomb, "Improving Root System Quality", Reprint from Research Report p-829 of the OK Ag Exp. Sta. October, 1982 | |
| | P2 | Ben Davis III and Carl E. Whitcomb, "Growing Pecan Seedlings in Containers", Reprint from Research Report P-829 of the OK Ag. Exp. Sta. October, 1982 | |
| | Q2 | Robert D. Hathaway and Carl E. Whitcomb, "Nutrition and Performance of Container-Grown Japanese Black Pine Seedlings, J. Environ. Hort. 2 (1):9-12. March 1984 | |
| | R2 | Robert D. Hathaway and Carl E. Whitcomb, "Container-Grown Pecan Seedlings Good Nutrition, Root Pruning Technique to Get Seedlings Off to Quick Start", Pecan South, January 1985, P-14-19 | |
| | S2 | Carl E. Whitcomb, "Roots for The Future, The International Plant Propagators' Society, Combined Proceedings Volume 39, 1989, P-170-173 | |
| | T2 | Dr. Carl Whitcomb, "The Rootmaker Container", Florida Nurseryman October 1989, P-23-29 | |
| | U2 | "Container designed to aid plant's root development", Nursery Manager, April 1991, P-22 | |
| | V2 | Carl E. Whitcomb, "Top Ten Points of Plant Propagation", Combined Proceedings International Plant Propagators' Society, Volume 48, 1988, P-558-561 | |
| | W2 | Carl E. Whitcomb, "Avoiding the Staking Dilemma", published in the International Plant Propagators Soc. Proceedings, Volume 50, 2000 | |
| | X2 | Carl Whitcomb, "Seedling Development: The Critical First Days©", Combined Proceedings International Plant Propagators' Society, Volume 51, 2001 P-610-614 | |
| | Y2 | Carl E. Whitcomb, "Containers vs. Poly Bags- Which are better?", Reprinted from the January 1, 1983, container production special issue of American Nurseryman | |
| | Z2 | Carl E. Whitcomb and Jerry D. Williams, "Stair-step Container for Improved Root Growth", HortScience 20(1) 66-67, 1985 | |
| | A3 | Dr. C. E. Whitcomb, "Effects of pot sizes on rooting of juniper cuttings", January 15, 1974, P-15, 73-74 | |
| | B3 | James D. Ward and Carl E. Whitcomb, "Nutrition of Japanese Holly during Propagation and Production", J. Amer. Soc. Hort. Sci 104(4)P-:523-526. 1979 | |
| Examiner  | | Date Considered 1/9/05 | |
| <p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with your communication to applicant.</p> | | | |

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